

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Jose Luis Cruzado Wilson,	)	C/A No.: 1:10-2206-RBH-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
Mary M. Mitchell, Lt. Bryant, Bureau of	)	
Prisons,	)	
	)	
Defendants.	)	
	)	

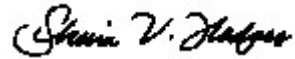
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Plaintiff filed this action, which is construed as alleging violations of 42 U.S.C. § 1983. Defendants filed a motion to dismiss on January 4, 2011. [Entry #17]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on January 5, 2011, advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. [Entry #18]. The *Roseboro* order was returned to the Clerk of Court's office via United States Postal Service on February 1, 2011, marked "Return to Sender." [Entry #20]. Based on Plaintiff's failure to keep the court apprised of his address and the court's inability to contact him, the undersigned issued a Report and Recommendation on February 11, 2011 [Entry #22], recommending Plaintiff's case be dismissed for failure to prosecute.

On February 24, 2011, the Clerk of Court received a letter from Plaintiff indicating he has recently been in transit without his paperwork. Plaintiff also provided a new address. Based on the foregoing, the undersigned vacates the February 11, 2011 Report

and Recommendation. The Clerk is to re-issue the *Roseboro* order to Plaintiff and Plaintiff is instructed to respond to Defendants' motion to dismiss by March 31, 2011.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

February 25, 2011  
Florence, South Carolina

Shiva V. Hodges  
United States Magistrate Judge